

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:) CHAPTER 7
)
DAVID M. LAZ,) CASE NO. 18-16460
)
)
DEBTOR.) HON. JANET S. BAER

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **Friday, September 28, 2018, at 11:00 a.m.**, the United States Trustee for the Northern District of Illinois, by and through his counsel Denise DeLaurent, shall appear before the Honorable Janet S. Baer, Bankruptcy Judge, in Kane County Courthouse, 100 S. Third Street, Room 240, Geneva, Illinois, or before any other Bankruptcy Judge who may be sitting in her place, and shall present a **Motion of the United States Trustee for an Extension of Time to Object to Discharge and to File Motion to Dismiss** a copy of which is attached and served on you.

NOTE THAT THE PROPOSED ORDER APPENDED TO THIS MOTION MAY BE ENTERED BY THE JUDGE WITHOUT PRESENTMENT IN OPEN COURT UNLESS A PARTY IN INTEREST NOTIFIES THE JUDGE OF AN OBJECTION THERETO PURSUANT TO LOCAL RULE 9013-9(C).

/s/ Denise A. DeLaurent
Denise A. DeLaurent, Attorney
OFFICE OF THE U.S. TRUSTEE
219 South Dearborn Street, Room 873
Chicago, Illinois 60604
(312) 886-3326

CERTIFICATE OF SERVICE

I, Denise A. DeLaurent, an attorney, state that on September 4, 2018 pursuant to Local Rule 9013-1(D) the above **Notice of Motion** and the appended **Motion of the United States Trustee for an Extension of Time to Object to Discharge and to File Motion to Dismiss** were filed and served on all parties identified as Registrants through the Court's Electronic Notice for Registrants and, as to all other parties on the service list below, I caused a copy to be sent via First Class Mail to the address(es) indicated.

/s/ Denise A. DeLaurent

SERVICE LIST

Registrants Served Through the Court's Electronic Notice for Registrants

- Peter C Bastianen ND-Four@il.cslegal.com
- Brenda Porter Helms brenda.helms@albanybank.com, bhelms@ecf.epiqsystems.com
- Kathryn A Klein iln@riezmanberger.com
- Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov
- Jose G Moreno nd-one@il.cslegal.com
- Daniel L Morriss dmorriss@hinshawlaw.com, izielinski@hinshawlaw.com,courtfiling@hinshawlaw.com
- Adam L Saper asaper@hinshawlaw.com, courtfiling@hinshawlaw.com,cwoods@hinshawlaw.com

Parties Served via First Class Mail

David M. Laz
2110 Babst Ct.
Lisle, IL 60532

Reverse Mortgage Solutions, Inc.
Robertson, Anschutz & Schneid, P.L.
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487

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IN RE:) CHAPTER 7
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MOTION OF THE UNITED STATES TRUSTEE FOR AN EXTENSION OF TIME TO OBJECT TO DISCHARGE AND TO FILE MOTION TO DISMISS

NOW COMES Patrick S. Layng, the United States Trustee for the Northern District of Illinois (the “U.S. Trustee”), by his attorney, Denise A. DeLaurent, and pursuant to 11 U.S.C. §727(a) and Fed. R. Bank. P. 1017(e) and 4004(b), hereby asks the Court to grant an extension of time to object to the discharges of David M. Laz (the “Debtor”) and to file a motion to dismiss the Debtor’s case for abuse pursuant to 11 U.S.C. § 707(b) and Fed. R. Bankr. P. 1017(e)(1). In support of this request, the U.S. Trustee states as follows:

1. This is a core proceeding concerning the administration of this estate pursuant to 28 U.S.C. § 157(b)(2)(A) which this Court may hear and determine pursuant to IOP 15(a) and Local Rule 40.3.1(a) of the United States District Court for the Northern District of Illinois.
2. On June 8, 2018 (“Petition Date”), the *Pro Se* Debtor, filed their voluntary petition for relief under Chapter 7 of the Bankruptcy Code.
3. The last date to object to the Debtor’s discharge under §727(a) and to file a motion to dismiss pursuant to 11 U.S.C. § 707(b) is presently set for September 10, 2018.
4. Brenda Porter Helms was appointed the Chapter 7 trustee in the Debtor’s case (the “Chapter 7 Trustee”).
5. Debtor’s Schedule J lists \$1,263,397.28 in nonpriority debts.

6. Based on the Debtor's schedules, testimony at the 341 meeting and more recent information, the details concerning the Debtor's transactions are unclear, and the U.S. Trustee thus for cause requests additional time to determine whether there may be a basis to object to the Debtor's discharge pursuant to 11 U.S.C. § 727(a) and to file a motion to dismiss the Debtor's case under § 707.

7. Based on the foregoing, the U.S. Trustee requests an extension of sixty (60) days pursuant to Rules 4004(b) and 1017(e) of the Federal Rules of Bankruptcy Procedure to object to the Debtor's discharge pursuant to 11 U.S.C. § 727(a) or to file a motion to dismiss the Debtor's case pursuant to 11 U.S.C. § 707.

WHEREFORE, the U.S. Trustee respectfully asks this Court to extend the date for the U.S. Trustee to file a complaint objecting to the Debtor's discharge under § 727 and to file a motion to dismiss the Debtor's case under § 707 for 60 days, to and including November 9, 2018, and for such other relief as this Court deems just.

RESPECTFULLY SUBMITTED:
PATRICK S. LAYNG
UNITED STATES TRUSTEE

DATED: September 4, 2018

BY: /s/ Denise A. DeLaurent
Denise A. DeLaurent, Attorney
OFFICE OF THE U.S. TRUSTEE
219 South Dearborn Street, Room 873
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(312) 886-3326